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3 February 2005

**TRANSMITTAL SHEET**

To: Director of the United States Patent & Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

From: Gavin N. Manning

Re: Disclosure Statement

1. US Patent Application Serial No.: 10/644813  
Title: **OPTICAL DISC STORAGE APPARATUS**  
Filed: 21 August 2003  
Inventor: MATSUNO, Akihisa

NO. OF PAGES INCLUDING THIS TRANSMITTAL SHEET: 15

Enclosures: Transmittal Form (PTO/SB/21) - 1 page  
Disclosure Statement Pursuant to 37 CFR §1.56 - 2 pages  
USPTO Form PTO/SB/08A - 2 pages  
International Search Report - 4 pages  
Written Opinion of the International Searching Authority - 5 pages

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CONTACT BRAD SHERBUCK AT (604) 669-3432 extn. 9049

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# TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

14

Application Number

10/844,513

Filing Date

21 August 2003

First Named Inventor

MATSUNO, Akihisa

Art Unit

Examiner Name

Attorney Docket Number

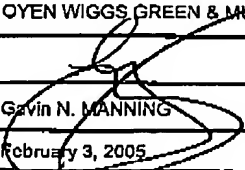
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## ENCLOSURES (Check all that apply)

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| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Reply<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input checked="" type="checkbox"/> Information Disclosure Statement<br><br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/<br>Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts<br>under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a<br>Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br><input type="checkbox"/> Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication to TC<br><input type="checkbox"/> Appeal Communication to Board<br>of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC<br>(Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input type="checkbox"/> Other Enclosure(s) (please identify<br>below): |
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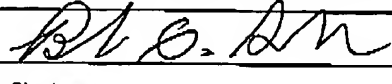
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## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	OYEN WIGGS GREEN & MUTALA		
Signature			
Printed name	Gavin N. MANNING		
Date	February 3, 2005	Reg. No.	36,412

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	Brad D. Sherbuck	Date	February 3, 2005

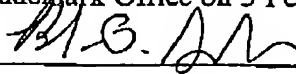
This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Brad Sherbuck - Assistant to Gavin N. Manning

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**IN THE UNITED STATES PATENT & TRADEMARK OFFICE**

Inventor(s): MATSUNO, Akihisa  
Title: OPTICAL DISC STORAGE APPARATUS  
Serial No.: 10/644813  
Filed: 21 August 2003

Date: 3 February 2005

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**Disclosure Statement Pursuant to 37 C.F.R. §1.56**

Transmitted herewith is an Information Disclosure Statement disclosing information which has come to the attention of applicant(s) and/or their agents and is being submitted in compliance with the duty of disclosure set forth in 37 C.F.R. §1.56.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and applicant determines that the cited documents do not constitute "prior art" under United States law, applicant reserves the right to present the relevant facts and law regarding the appropriate status of such documents.

Applicant further reserves the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

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In accordance with 37 C.F.R. §1.98, transmitted herewith are:

1. A completed copy of Form PTO/SB/08 "Information Disclosure Statement by Applicant" listing the patents, publications and other information being submitted for consideration; and
2. A legible copy of each patent, publication and other item of information in written form listed on the enclosed Form PTO/SB/08, except for copies of U.S. patents and published U.S. patent applications which are not required for applications filed after 30 June 2003.

37 CFR §1.97(e) Certification

I hereby certify that each item of information in the Information Disclosure Statement filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.

Respectfully submitted,  
OYEN WIGGS GREEN & MUTALA

By: 

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Substitute for form 1449/PTO

# **INFORMATION DISCLOSURE STATEMENT BY APPLICANT**

(Use as many sheets as necessary)

## **Complete if Known**

Application Number	10/644,813
Filing Date	21 August 2003
First Named Inventor	MATSUNO, Akihisa
Art Unit	
Examiner Name	
Attorney Docket Number	M619 0001

Sheet

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of

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## **NON PATENT LITERATURE DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>
		International Search Report, PCT/CA2004/001521, 14 January 2005	
		Written Opinion of the International Searching Authority, PCT/CA2004/001521, 14 January 2005	

Examiner  
Signature

Date  
Considered

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 608. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

1 Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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